

Amendment - 1st Reading/2nd House-blue - Requested by: Eric Tilleman - (S) Agriculture, Livestock and Irrigation

- 2025

69th Legislature 2025

Drafter: Rebecca Brown,

HB0171.001.004

1 HOUSE BILL NO. 171
2 INTRODUCED BY E. TILLEMAN, M. NIKOLAKAKOS, E. ALBUS, W. MCKAMEY, R. MINER, S. MANESS
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE ALFALFA SEED INDUSTRY ACT;
5 ELIMINATING THE MONTANA ALFALFA SEED COMMITTEE AND TRANSFERRING DUTIES TO THE
6 DEPARTMENT OF AGRICULTURE; REVISING DEFINITIONS; REVISING ALFALFA SEED ASSESSMENT
7 INCREASE REQUIREMENTS; REQUIRING THE DEPARTMENT OF AGRICULTURE TO HOLD A PUBLIC
8 MEETING EVERY BIENNIUM ON THE CONTINUATION OF THE ALFALFA SEED ASSESSMENT;
9 PROVIDING RULEMAKING AUTHORITY; AMENDING SECTIONS 80-6-1102, 80-6-1103, 80-6-1105, 80-6-
10 1106, 80-6-1108, 80-6-1109, 80-6-1110, 80-6-1111, 80-6-1112, 80-11-303, 80-11-304, 80-11-307, 80-11-309,
11 AND 80-11-310, MCA; REPEALING SECTIONS 2-15-3004, 80-6-1104, 80-11-302, AND 80-11-305, MCA;
12 AND PROVIDING AN EFFECTIVE DATE."

13
14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

15
16 **Section 1.** Section 80-6-1102, MCA, is amended to read:

17 **"80-6-1102. Definitions.** As used in this part, the following definitions apply:

18 (1) "Bee" means any stage in the life cycle of a bee of the species *Megachile rotundata* (F),
19 commonly known as the alfalfa leaf-cutting bee.

20 (2) "Certification" means the process of analyzing bees and equipment by the ~~committee~~
21 department to determine whether they meet required standards.

22 ~~(3) "Chalkbrood" means a fungal disease that attacks larvae of the alfalfa leaf-cutting bee.~~

23 ~~(4) "Committee" means the Montana alfalfa seed committee established in 2-15-3004.~~

24 ~~(5)~~(3) "Department" means the department of agriculture established in 2-15-3001.

25 ~~(6)~~(4) "Equipment" means shelters, trays, incubators, cell removers, tumblers, and other apparatus,
26 except nesting materials, used in rearing bees.

27 ~~(7)~~(5) "Nest destroyer" means any organism that competes with the bee larvae for nest provisions.

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1 partnership, association, corporation, cooperative organization, trust, sharecropper, or any and all other
2 business ~~units~~ entities, ~~devices~~, and arrangements that grow alfalfa seed or are engaged in the pollination of
3 alfalfa seed.

4 ~~(4)~~(3) "Handled in the primary channels of trade" means the time when any alfalfa seed is delivered
5 under a sales contract, sold, or delivered for shipment and sale."

6

7 **Section 11.** Section 80-11-304, MCA, is amended to read:

8 **"80-11-304. ~~Powers of the committee~~ Department powers -- rulemaking. (1)** ~~The committee~~
9 department may:

10 (1) ~~provide, through the department of agriculture, for the administration and enforcement of this~~
11 ~~part;~~

12 (2) ~~enter into contracts in the name of the committee;~~

13 (3) ~~authorize the purchase of all office equipment or supplies and incur all other reasonable and~~
14 ~~necessary expenses and obligations required to carry out the provisions of this part;~~

15 (4) ~~become a member of and purchase membership in trade organizations and subscribe to and~~
16 ~~purchase trade bulletins, journals, and other trade publications;~~

17 (5) ~~plan and conduct a research program to improve the quality of alfalfa seed, develop and~~
18 ~~improve control measures for disease and pests that attack alfalfa and alfalfa seed pollinators, improve alfalfa~~
19 ~~growing culture, disseminate information among the growers and dealers of the state, financially support the~~
20 ~~alfalfa leaf-cutting bee program provided for in Title 80, chapter 6, part 11, and enter into research contracts~~
21 ~~and other agreements as necessary;~~

22 (6) ~~plan and conduct a publicity and sales promotion campaign to increase the sale and use of~~
23 ~~Montana alfalfa seed and enter into publicity and sales promotion contracts and other agreements as~~
24 ~~necessary;~~

25 (7) ~~in cooperation with the director of the department of agriculture, establish and maintain the~~
26 ~~executive offices of the committee at any location in the state. The location may be changed at the discretion of~~
27 ~~the director and the committee.~~

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1 ~~(8)~~ — recommend rules and orders to be adopted for the exercise of its power and the performance
2 of its duties, in accordance with the Montana Administrative Procedure Act;

3 (1)(a) adopt rules for the exercise of its power and the performance of its duties under this part in
4 accordance with the Montana Administrative Procedure Act;

5 ~~(9)(2)(b)~~ cooperate with any local, state, or national organization or agency, whether voluntary
6 or created by the law of any state or the United States government, engaged in work or activities similar to the
7 work and activities of the committee and enter into contracts or agreements with the any local, state, or national
8 organizations or agencies for carrying on a joint campaign of research, education, product protection, publicity,
9 and reciprocal enforcement of these objectives; and

10 ~~(10)(3)(c)~~ accept grants, donations, and gifts from any source for expenditure for any purpose
11 consistent with Title 80, chapter 6, part 11, or this part, including a purpose specified as a condition of a grant,
12 donation, or gift.

13 (2) The department shall seek input from the Montana alfalfa seed growers association on a
14 regular basis regarding research, education, product protection, publicity, markets, and other matters
15 concerning alfalfa seed production."

17 **Section 12.** Section 80-11-307, MCA, is amended to read:

18 **"80-11-307. Assessment on alfalfa seed.** (1) There is hereby levied upon all alfalfa seed grown in
19 this state and sold through commercial channels an assessment of 1/2 of 1% of the grower's price received at
20 the point of first sale.

21 (2) If it appears from an investigation that the revenue from the assessment levied under
22 subsection (1) is inadequate to accomplish the purposes of this part, ~~the committee shall file with the director of~~
23 ~~agriculture a report showing the necessity of the industry, extent of public convenience, interest, and necessity,~~
24 ~~and probable revenue from the additional assessment desired to be levied. The~~ the department director of
25 ~~agriculture may thereupon~~ increase the assessment to a sum not to exceed 1% of the grower's price received
26 at the point of first sale. ~~No~~ An increase may not be made prior to ~~filing of the report and recommendation by~~
27 ~~the committee~~ to holding a public meeting for input from growers."